

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:04-CR-00229-RLV-DCK**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	<u>ORDER</u>
)	
THOMAS EDWARD COLLERAN,)	
)	
)	
Defendant,)	
)	
and)	
)	
)	
ARTFX, Inc.)	
T/A/ ARTFX FX GEAR,)	
)	
Garnishee.)	
)	

THIS MATTER IS BEFORE THE COURT on the Government’s Motion for Dismissal of Writ of Continuing Garnishment as to Garnishee ArtFX, Inc (“ArtFX”). (Doc. 41). In 2005, this Court sentenced Defendant Thomas Edward Colleran to time served, with three years’ supervised release and ten months’ home detention for his conviction for violating 18 U.S.C. § 1344. (Doc. 14 at 1-3). As part of the judgment of conviction, the Court also ordered Defendant to pay a \$100 special assessment and \$75,320.17 in restitution. *Id.* at 4-6.

On February 23, 2017, the Government filed an Application for Writ of Continuing Garnishment, representing that Defendant owed \$14,375.34 in restitution and identifying ArtFX as an entity owing Defendant money. (Doc. 34). This Court entered an order granting the

Government's Application for Writ of Continuing Garnishment, which, in part, required ArtFX to file an answer to the writ. (Doc. 35). ArtFX filed an answer indicating that Defendant's employment at ArtFX was terminated. (Doc. 40). Based on ArtFX's answer, the Government filed the present Motion to Dismiss Writ of Continuing Garnishment as to ArtFX. (Doc. 41).

Having considered the Government's Motion and all other relevant matters of record, and having found good cause shown, **IT IS ORDERED THAT:**

- (1) The Government's Motion to Dismiss Writ of Continuing Garnishment as to ArtFX (Doc. 41) is **GRANTED**;
- (2) The Order of Garnishment (Doc. 36) is **DISMISSED**;
- (3) The Government is ordered to inform this Court promptly once it learns that Defendant has secured other employment; and
- (4) The Government may apply for a subsequent writ of continuing garnishment with this Court once Defendant has secured other employment so as to collect the remaining balance on Defendant's restitution obligation.

Signed: April 26, 2017



Richard L. Voorhees
United States District Judge

